

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gosselin *et al.* Confirmation No.: 9603

Application No.: 09/371,747 Art Unit: 1623

Filed: August 10, 1999

Patent No.: 6,395,716 Examiner: Crane, Lawrence E

Issued: May 28, 2002

For: β -L-2'-DEOXYNUCLEOSIDES FOR Attorney Docket No.: 11874-005-999
TREATMENT OF HEPATITIS B

SUBMISSION UNDER 37 C.F.R. § 1.765

Mail Stop Hatch-Waxman PTE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.765 and M.P.E.P. § 2762, Applicants hereby direct the Patent Office's attention to the documents listed below in connection with the determination of entitlement to the extension of the term of U.S. Pat. No. 6,395,716, filed December 21, 2006. Applicants respectfully request that the Patent Office make the following documents of record:

- (1) NOTICE of Voluntary Dismissal by Board of Trustees of The University of Alabama, The UAB Research Foundation, dated August 4, 2008, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama.
- (2) FINAL ORDER, dated August 4, 2008, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama.

CONCLUSION

Applicants respectfully request that the documents submitted herein be made of record.

No fee is believed to be due in connection with this submission. However, if any fee is required, please change the amount of any such fee to Jones Day Deposit Account No. 50-3013 (order no. 417451-999005).

Respectfully submitted,

Date: August 22, 2008

 42,983
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